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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/566,086	04/20/2006	Rene Burgermeister	F8975	1012
28107 7590 03/22/2010 JORDAN AND HAMBURG LLP 122 EAST 42ND STREET SUITE 4000 NEW YORK, NY 10168				
EXAMINER				
BADR, HAMID R				
ART UNIT		PAPER NUMBER		
1794				
MAIL DATE		DELIVERY MODE		
03/22/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action

Applicants' amendment after final rejection filed 02/22/2010 is acknowledged.

These amendments are not entered for due to the issues set forth below.

The amendments made after the final rejection raise issues which may need further consideration and/or search. They further raise issues under 35 U.S.C 112 first and second paragraphs.

1. Claim 13 while amended while amended is still labeled "previously presented".
2. The amendment to claim 13 recites "fermentation continues at a reduced extent" raises an issue under 35 U.S.C. 112 second paragraph.
3. The amendment to claim 14 recites "which is inoculated naturally by exposure to ambient air"; raises an issue under 35 U.S.C. 112 first paragraph.
4. Claim 29 recites "wherein a gluten content" raises issues under 35 U.S.C. 112 second paragraph.

The amendment thus made after the final rejection is not entered.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HAMID R. BADR whose telephone number is (571)270-3455. The examiner can normally be reached on M-F, 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Keith Hendricks can be reached on (571) 272-1401. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hamid R Badr
Examiner
Art Unit 1794

/Keith D. Hendricks/

Supervisory Patent Examiner, Art Unit 1794